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SHERIFF RICK DIBASILIO,
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**CALIFORNIA DEPARTMENT OF
JUSTICE**

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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
FRESNO DIVISION**

THOMAS JAMES CORRIGAN,
KATHLEEN ANN WAITE, KIRSTIN
LYNN CORRIGAN, and DEVIN JAMES
CORRIGAN,

Plaintiffs,

vs.

COUNTY OF CALAVERAS, et al.,

Defendants

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LAW OFFICES OF FRANK PACHECO

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Attorney for Plaintiffs
THOMAS JAMES CORRIGAN, et al.

Case No.: 1:20-cv-00931 DAD SKO

STIPULATION AND ORDER TO CONTINUE
THE INITIAL SCHEDULING CONFERENCE
TO APRIL 2022

(Doc. 43)

Date:	March 15, 2022
Time:	10:15 a.m.
Courtroom:	7
Judge:	Hon. Sheila K. Oberto

1 **PLAINTIFFS THOMAS JAMES CORRIGAN, KATHLEEN ANN WAITE,**
2 **KIRSTIN LYNN CORRIGAN, and DEVIN JAMES CORRIGAN;**
3 **DEFENDANTS COUNTY OF CALAVERAS, SHERIFF RICK DIBASILIO, SGT.**
4 **KEVIN STEVENS, CPL. JIM MOSER, and CPL. BRIAN TERRY; and DEFENDANT**
5 **JOSEPH BOBERG SUBMIT THAT GOOD CAUSE EXISTS TO CONTINUE THE**
6 **INITIAL SCHEDULING CONFERENCE (DOC. 42) AND HEREBY STIPULATE AS**
7 **FOLLOWS:**

8 Whereas the Court may delay issuance of a scheduling order for good cause under Fed. R.
9 Civ. Proc. Rule 16(b)(2).

10 Whereas, Plaintiffs and Defendants met and conferred on March 3, 2022 regarding
11 preparation of a joint scheduling report and the currently scheduled initial scheduling conference
12 set for March 15, 2022 at 10:15 a.m. in Department 7.

13 Whereas, Shanan L. Hewitt, counsel for Defendants for County of Calaveras, Sheriff Rick
14 Dibasilio, Sgt. Kevin Stevens, Cpl. Jim Moser, and Cpl. Brian, was set to commence trial in
15 *Delores Smith v. County of Sacramento, et al.*, Sacramento County Superior Court Case No. 34-
16 2017-00224105 on January 24, 2022 which was continued by the superior court to March 1,
17 2022, with jury selections anticipated to commence on March 7, 2022, and plaintiff's counsel in
18 that case has now indicated the trial may go for three (3) weeks (into the week of March 21, 2022,
19 a scheduling conflict now exists with this Court's initial scheduling conference set for March 15,
20 2022.

21 Whereas, Counsel Shanan L. Hewitt hereby requests, and the other parties' counsel in this
22 action have agreed and stipulated thereto, that for the initial scheduling conference in this case be
23 continued to a date in the month of April, any date on or after April 8, 2022 with the exception of
24 April 12, 2022, April 15, 2022 and April 19, 2022.

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1 **IT IS SO STIPULATED.**

2 DATED: March 3, 2022

RIVERA HEWITT PAUL LLP

3 /s/ Shanan L. Hewitt

4 SHANAN L. HEWITT
5 Attorneys for Defendants
6 COUNTY OF CALAVERAS,
7 SHERIFF RICK DIBASILIO,
8 SGT. KEVIN STEVENS,
9 CPL. JIM MOSER, and
10 CPL. BRIAN TERRY

9 DATED: March 7, 2022

LAW OFFICES OF FRANK M. PACHECO

10 /s/ Frank Pacheco

11 (As authorized on 03/07/22)

12 FRANK PACHECO
13 Attorney for Plaintiffs

13 DATED: March 7, 2022

CALIFORNIA DEPARTMENT OF JUSTICE

14 /s/ Norman Donald Morrison, IV

15 (As authorized on 03/07/22)

16 NORMAN DONALD MORRISON, IV
17 Attorney for Defendant Joseph Boberg

18 **ORDER**

19 In view of the parties' foregoing stipulation (Doc. 43), and for good cause shown, the initial
20 scheduling conference is hereby CONTINUED from March 15, 2022, to **April 14, 2022, at 9:45**
21 **AM.**

22 The parties SHALL file their joint scheduling report no later than seven (7) days before
23 the conference.

24
25 **IT IS SO ORDERED.**

26 Dated: **March 8, 2022**

/s/ Sheila K. Oberto

27 UNITED STATES MAGISTRATE JUDGE